



Chelan County  
WATER CONSERVANCY BOARD  
Application for Change/Transfer  
Record of Decision

For Ecology Use Only

Received:

**RECEIVED**

Date Stamp

APR 09 2010

DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE

Reviewed by: \_\_\_\_\_

Date Reviewed: \_\_\_\_\_

**Applicant: Don West Family Properties LLC**

**Application Number: CHEL-09-12**

This record of decision was made by a majority of the board at an open public meeting of the Chelan County Water Conservancy Board held **April 8, 2010**.

☒ **Approval:** The Chelan County Water Conservancy Board hereby **grants** conditional approval for the water right transfer described and conditioned within the report of examination on **April 8, 2010** and submits this record of decision and report of examination to the Department of Ecology for final review.

☐ **Denial:** The Chelan County Water Conservancy Board hereby **denies** conditional approval for the water right transfer as described within the report of examination on \_\_\_\_\_, **2010** and submits this record of decision to the Department of Ecology for final review.

Signed:

Don Phelps, Chair  
Chelan County Water Conservancy Board

Date: 4-8-10

Approve ☒

Deny ☐

Abstain ☐

Recuse ☐

Other ☐

Pete Fraley, Member  
Chelan County Water Conservancy Board

Date: 4-8-10

Approve ☒

Deny ☐

Abstain ☐

Recuse ☐

Other ☐

Waikele Hampton, Member  
Chelan County Water Conservancy Board

Date: 8 April 2010

Approve ☒

Deny ☐

Abstain ☐

Recuse ☐

Other ☐

\_\_\_\_\_  
(Name), (Title)  
(Board Name) Water Conservancy Board

Date: \_\_\_\_\_

Approve ☐

Deny ☐

Abstain ☐

Recuse ☐

Other ☐

\_\_\_\_\_  
(Name), (Title)  
(Board Name) Water Conservancy Board

Date: \_\_\_\_\_

Approve ☐

Deny ☐

Abstain ☐

Recuse ☐

Other ☐

Mailed to the Department of Ecology Central Regional Office of Ecology, via certified mail, and other interested parties on \_\_\_\_\_.

If you have special accommodation needs or require this form in alternate format, please contact 360-407-6607 (Voice) or 711 (TTY) or 1-800-833-6388 (TTY).

Ecology is an equal opportunity employer





Chelan County  
WATER CONSERVANCY BOARD  
Application for Change/Transfer  
OF A RIGHT TO THE BENEFICIAL USE OF THE PUBLIC WATERS OF  
THE STATE OF WASHINGTON  
Report of Examination

RECEIVED  
APR 09 2010

NOTE TO APPLICANT: Pursuant to WAC 173-153-130(8), the applicant is not permitted to proceed to act on the proposal until Ecology makes a final decision affirming, in whole or in part, the board's recommendation. It is advised that the applicant not proceed until the appeal period of Ecology's decision is complete.

☐

Surface Water

☒

Ground Water

DATE APPLICATION RECEIVED June 11, 2009	WATER RIGHT DOCUMENT NUMBER (i.e., claim, permit, certificate, etc.) CSR-WRC001265 <b>63</b>	WATER RIGHT PRIORITY DATE June 14, 1909	BOARD-ASSIGNED CHANGE APPLICATION NUMBER CHEL-09-12
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NAME  
Don West Family Properties LLC

ADDRESS (STREET)

421 23<sup>rd</sup> NE

(CITY)

East Wenatchee

(STATE)

WA

(ZIP CODE)

98802

Changes Proposed: ☐ Change purpose ☐ Add purpose ☐ Add irrigated acres ☐ Change point of diversion/withdrawal  
☐ Add point of diversion/withdrawal ☐ Change place of use ☒ Other To Correct Legal Description of the Existing Well

SEPA

The board has reviewed the provisions of the State Environmental Policy Act of 1971, Chapter 43.21C RCW and the SEPA rules, chapter 197-11 WAC and has determined the application is: ☒ Exempt ☐ Not exempt

BACKGROUND AND DECISION SUMMARY

Existing Right (Tentative Determination)

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE				
		0.96	Domestic, Year Round				
		7.0	April 1 to November				
SOURCE Dickinson Well			TRIBUTARY OF (IF SURFACE WATER)				
AT A POINT LOCATED: PARCEL NO.	¼ NW	¼ SE	SECTION 13	TOWNSHIP N. 27N	RANGE 16 E.W.M.	WRIA 45	COUNTY. Chelan
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS USED							
NW ¼, NW ¼, Section 19, Township 27N, Range 17E, Chelan County. 2 acres total.							
PARCEL NO. 271719221400	¼	¼	SECTION	TOWNSHIP N.	RANGE,		

Proposed Use

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE				
		0.96	Domestic, Year Round				
		7.0	April 1 to November 1				
SOURCE Dickinson Well			TRIBUTARY OF (IF SURFACE WATER)				
AT A POINT LOCATED: PARCEL NO.	¼ NE	¼ SE	SECTION 13	TOWNSHIP N. 27N	RANGE 16E.W.M.	WRIA 45	COUNTY. Chelan
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED							
NW ¼, NW ¼, Section 19, Township 27N, Range 17E, Chelan County. 2 acres total.							
PARCEL NO. 271719221400	¼	¼	SECTION	TOWNSHIP N.	RANGE,		

Board's Decision on the Application

MAXIMUM CUB FT/ SECOND	MAXIMUM GAL/MINUTE	MAXIMUM ACRE-FT/YR	TYPE OF USE, PERIOD OF USE				
		0.96	Domestic, Year Round				
		7.0	April 1 to November 1				
SOURCE Dickinson Well			TRIBUTARY OF (IF SURFACE WATER)				
AT A POINT LOCATED: PARCEL NO.	¼ NE	¼ SE	SECTION 13	TOWNSHIP N. 27N	RANGE 16E.W.M.	WRIA 45	COUNTY. Chelan
LEGAL DESCRIPTION OF PROPERTY ON WHICH WATER IS TO BE USED AS APPROVED BY THE BOARD							
NW ¼, NW ¼, Section 19, Township 27N, Range 17E, Chelan County. 2 acres total.							
PARCEL NO. 271719221400	¼	¼	SECTION	TOWNSHIP N.	RANGE,		



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**DESCRIPTION OF PROPOSED WORKS**

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The applicant only wishes to correct the legal description of the existing well.

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**DEVELOPMENT SCHEDULE**

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BEGIN PROJECT BY THIS DATE: NA	COMPLETE PROJECT BY THIS DATE: NA	COMPLETE CHANGE AND PUT WATER TO FULL USE BY THIS DATE: NA
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**REPORT**

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**BACKGROUND** [See WAC 173-153-130(6)(a)]

The applicant filed for changes to the subject water right as referenced above. Said application was accepted by the board on that filing date and given the above application number. Public notice of the application was given in the Wenatchee World on 6/18/09 and 6/25/09. Protest period ended on 7/25/09. See attached Notice of Application for Changes to a Water Right together with it's affidavit of publication. In addition to publication this notice was sent to the Department of Fish and Wildlife and the Department of Archeology and Historic Preservation. The attributes of the certificate and the proposed changes are as follows:

Water Right Claim Number **CS4-WRC001265** was transferred to a well located in NW ¼, SE ¼, Section 13, Township 27N, Range 16, E.W.M. and recommended for approval on February 13, 2002 by the Chelan County Water Conservancy Board and modified by the Department of Ecology on May 6, 2002.

The proposed change involves correcting an error in the Point of withdrawal for the above mentioned Water Right Claim. The Point of Withdrawal is actually located in the NE ¼, SE ¼, Section 13, Township 27N, Range 16, E.W.M. at Latitude N47.50.208 and Longitude 120.47.133

**COMMENT AND PROTESTS** [See WAC 173-153-130(6)(b)]

There were no protests received during the 30 day protest period. In addition, no oral and written comments were received at an open public meeting of the board or other means as designated by the board.

The information or conclusions in this section were authored and/or developed by Lisa deVera.

**INVESTIGATION** [See WAC 173-153-130(6)(c)]

The following information was obtained from a site inspection conducted by Don Phelps, technical reports, recent aerial photos, research of department records, and conversations with the applicant and/or other interested parties.

When the water right was changed in 2002 the well was identified as being in the NWSE of Section 13, T27N, R16E and so recorded in the approved ROE. Subsequently the Department of Ecology did some more accurate mapping of the well location and found that it was actually over the quarter section line and in the NESE of Section 13, T27N, R16E. This change is being processed at the request of DOE for the purposes of correcting the Point of Withdrawal. There are actually 3 separate water rights being withdrawn from this well and the other two rights (CS4-WRC028802 and CS4-WRC017516@2) are also being changed at this time to correct the legal description of the well location.

The information or conclusions in this section were authored by Don Phelps.

**CONCLUSIONS** [See WAC 173-153-130(6)(d)]

The Board agrees to the applicant's request to correct the legal description of the existing well as requested by the Department of Ecology in letter dated April 2, 2009. This letter is referenced as appendix No. 5.

**DECISION** [See WAC 173-153-130(6)(e)]

The board hereby approves the application.

**PROVISIONS** [See WAC 173-153-130(6)(f)]

The following provisions are to be included as a part of the application approval decision referred to in the preceding section:

The Point of Withdrawal is located in the NE ¼, SE ¼, Section 13, Township 27N, Range 16, E.W.M. at Latitude N47.50.208 and Longitude 120.47.133

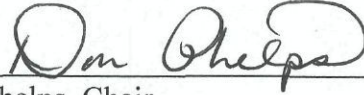
The undersigned board commissioner certifies that he/she understands the board is responsible "to ensure that all relevant issues identified during its evaluation of the application, or which are raised by any commenting party during the board's evaluation process, are thoroughly evaluated and discussed in the board's deliberations. These discussions must be fully documented in the report of examination." [WAC



173-153-130(5)] The undersigned therefore, certifies that he/she, having reviewed the report of examination, knows and understands the content of this report and concurs with the report's conclusions.

Signed at Wenatchee, Washington.

This 8<sup>th</sup> day of April, 2010



Don Phelps, Chair  
Chelan County Water Conservancy Board

Appendix:

1. Application
2. Notice of Application declaration of publication
3. Letter of Transmittal of Notice of Application to Department of Fish and Wildlife
4. Official Notice to the Washington State Department of Archeology and Historic Preservation
5. Department of Ecology letter requesting application to correct error dated April 2, 2009
6. Final Order (Record of Examination) (Includes application map)
7. Department of Ecology Modification letter dated May 8, 2002